

THE LAW FIRM OF HUGH H. MO, P.C.

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VIA ECF
MEMO ENDORSED

July 25, 2023

VIA ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT ELECTRONICALLY
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DATE FILED: 9-6-23

Re: *United States v. Yunseo Lee, et al.*
Case No.: 20-cr-648 (ALC)

Dear Judge Carter:

We are the attorneys for Yunseo Lee in the above-referenced matter. We write to respectfully request a one-time bail modification granting permission for Ms. Lee to travel to South Korea for ten to twelve days in October 2023 to visit her elderly parents for the first time in over three years and to undergo pre-operative testing, surgery for left de Quervain's stenosing tenosynovitis, and recuperation with her elderly parents and sibling who can care for her.¹ Ms. Lee lives alone and has no family in America to support her required post-operative care and recuperative period.

Ms. Lee's Bail Compliance

Ms. Lee has been in full compliance with the terms and conditions of her release. She was initially released on \$200,000 PRB bond, with travel restricted within this District, the Eastern District of New York along with the District of New Jersey. She also surrendered her South Korea Passport and submitted to Pre-Trial Services supervision.

Since 2020, the Court has granted three unopposed modifications to Ms. Lee's bail conditions so that she may now travel freely within this District and the District of New Jersey without providing notice and within the continental United States with notice to Pre-Trial Services (Dkt. Nos. 41, 71, 82). To date, Ms. Lee has travelled within the continental United States for personal and business without incident on over ten occasions.

¹ Direct flights from New York to South Korea are approximately 15 hours. (See Potential Flights from New Jersey/New York to Seoul, with connecting flights to Busan, in October 2023, attached hereto as Exhibit "A" ("Proposed Flights to Korea"). South Korea is also approximately fourteen hours ahead of New York during standard time and thirteen hours during daylight saving time. See TIME.IS, <https://time.is/Seoul> (last visited July 24, 2023).

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Ms. Lee is a W-2 employee at FarmHannong America, Inc (F/K/A LG Life Sciences America, Inc.). She has been with the company since April 8, 2021, and is at the office in-person full time, 40 hours a week. Ms. Lee values her job and the basis for this request in early October is in consideration of her job's increased workload during the summer. (See Ex. A.)

Ms. Lee's South Korean Passport

Ms. Lee was arrested on August 6, 2020. On April 20, 2021, AUSA Lockard confirmed via email that Ms. Lee's passport was lost and would continue to follow-up. (See Emails re: Lost Passport, attached hereto as Exhibit "B".) The Consulate General of the Republic of Korea New York issued a replacement passport to Ms. Lee in early 2023. Ms. Lee advised Pre-trial Services on July 5, 2023 to schedule a date and time for its surrender. Since then, Ms. Lee has not heard back from Pre-trial Services as to a scheduled surrender date.

Ms. Lee's Medical Background

Since early 2021, Ms. Lee has been experiencing severe pain in her left wrist that has caused severe decreased mobility in her left thumb and wrist. She has sought a variety of non-surgical treatments including injections, acupuncture, thumb spica wear, some of which were not covered by insurance (See Costs and Expenses, attached hereto as Exhibit "C"). Most importantly, Ms. Lee was advised to severely modify use of her left hand and wrist. That has been near impossible to do since she is required to do a considerable amount of typing on a keyboard for work. Also, none of these non-invasive treatments have alleviated her severe pain and decreased mobility.

In October 2022, Ms. Lee was examined by Dr. Fred Lee, an orthopedist who diagnosed her with left de Quervain's stenosing tenosynovitis. (See October 4, 2022 Letter from Fred Lee, M.D., attached hereto as Exhibit "D".) Dr. Lee recommended that Ms. Lee undergo surgery for her left de Quervain's stenosing tenosynovitis. Typically, the surgery can be done as an outpatient procedure in America but requires a post-operative recuperation period of at least a week that requires no use of the affected hand and wrist.

Ms. Lee's Proposed Surgery and Recuperation Period

Dr. Hyunseo Jang of Central Hospital in Busan, South Korea agreed to perform Ms. Lee's surgery in October 2023. (See Central Hospital Appointment, attached hereto as Exhibit "E".) As a citizen of South Korea, Ms. Lee has medical coverage and the surgery will cost a nominal amount of money. She will be hospitalized for at least three days for the procedure and more importantly, will require care post-operation.

As indicated above, Ms. Lee will require time to recuperate after surgery – at least one week. She lives alone and has no family or support network in the United States to provide such care. Ms. Lee will not be able to travel after the surgery and will not be able to move her left hand.

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During this period from the time of surgery for approximately ten days, Ms. Lee will have to rely upon and required care from her family in South Korea. Her family resides at #103-1203, Maesan-Ro 65, Buk-Gu, Ulsan, South Korea.

Ms. Lee's Medical Insurance Situation

In addition to care concerns and requirements, Ms. Lee is opting to have the surgery performed in South Korea because her American insurance has not confirmed whether they will cover it. Her insurance card and policy are attached. (See Insurance Card and Policy, attached hereto as Exhibit "F".)

The Government and Pre-trial Service's Position

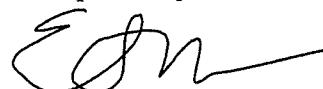
Ms. Lee, through her attorneys, has notified the assigned Assistant U.S. Attorneys and pre-trial services regarding this bail modification request. The Government consents to the proposed travel. Pre-trial Services takes no position.

Conclusion

In conclusion, we respectfully request that Ms. Lee be granted a bail modification to travel to South Korea in October for surgery and recovery with her family members. Based on her limited economic means and extensive flight costs, we request a travel period of ten to twelve days in October for flexibility to secure the most affordable flight option. (See Ex. "A".)

We thank the Court for its kind consideration.

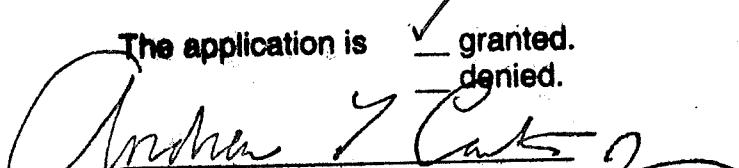
Respectfully submitted,



Elizabeth L. Mo

cc: AUSA Michael D. Lockard
AUSA Matthew J.C. Hellman
AUSA Nicholas Bradley
(by ECF)

The application is granted.
 denied.



Andrew L. Carter Jr., U.S.D.J.
Dated: 9-6-23
NY, New York